

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael P. Henderson,

Civil No. 13-1493 (DWF/JSM)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Lori Swanson,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated September 29, 2014. (Doc. No. 28.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Janie S. Mayeron's September 29, 2014 Report and Recommendation (Doc. No. [28]) is **ADOPTED**.
2. Petitioner Michael P. Henderson's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. No. [1]) is **DENIED** and this matter is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 5, 2014

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge